

REMARKS

Applicant respectfully requests reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

Status of Claims:

Claims 3-7, 14-16, 19-29, and 36-38 have been withdrawn from further consideration by the examiner, 37 CFR 1.142(b) as being drawn to a non-elected invention. Claims 41 and 42 were added as new claims previously. Claims 1, 12, 13, 30 and 34 are amended. Thus, claims 1, 2, 8-13, 17, 18, 30-35 and 39-42 are under consideration.

A detailed listing of all claims that are, or were, in the application, irrespective of whether the claim(s) remain under examination in the application, is presented, with an appropriate defined status identifier.

Response to Claim Rejections:

Claims 1, 2, 8-11, 13, 17, 18, 30-33, 35, 39, and 40 are rejected under 35 U.S.C. 102(b) as being anticipated by Chen et al. (US 6,809,899).

With regard to the rejection of claim 1, this rejection is respectfully traversed.

Claim 1 as amended defines a read/write head for a disk drive with the recited features, in which the distance between the write pole tip and the substrate is less than the distance between the shield and the substrate.

An example of a read/write heads in which the distance between the write pole tip and the substrate is less than the distance between the shield to the substrate is shown in Figure 2 of the present application, wherein the shield (60) is farther from the substrate (52) than the write pole tip (68) is from the substrate (52).

Chen neither teaches nor suggests a structure in which the distance between the write pole and the substrate is less than the distance between the shield and the substrate. Instead, as shown in Chen's Figure 5, the distance between the write pole tip (108) and the substrate (material to

the right of (113) as pointed out by the examiner) is necessarily more than the distance between the shield (referred to as return pole (113) as stated in Column 3, line 26) and the substrate. This is because the shield (113) is directly adjacent to the substrate and therefore closer to the substrate than the write pole tip (108) is to the substrate. In so far as the examiner refers to Chen's second magnetic coupling member (118) as a "write shield," it is noted that the distance between Chen's write pole tip (108) and Chen's substrate is greater than the distance between Chen's member (118) and the substrate.

The rejection of claims 2, 8-11, 13, 17, and 18, is also respectfully traversed. These claims as amended each are dependent on the amended claim 1, and as such they are patentable over Chen, at least for the same reasons explained above with respect to claim 1.

Accordingly, the rejection of claims 1, 2, 8-11, 13, 17, and 18 under 35 U.S.C. 102(b) as being anticipated by Chen et al. (US 6,809,899) is respectfully traversed.

With regard to claim 30 as amended this rejection is respectfully traversed.

Claim 30 as amended defines a read/write head for a disk drive with the recited features, in which the distance between the write pole tip and the substrate is less than the distance between either the write shield, the first read shield, or the second read shield and the substrate.

An example of a read/write heads in which the write pole tip is closer to the substrate than any of the shields is shown in Figure 3 of the present application, wherein the shields (92), (94) and (98) are all farther from the substrate (104) than the write pole tip (106) is from the substrate (104).

Consistent with the above discussion, Chen neither teaches nor suggests a structure in which the write pole tip is closer to the substrate than any of the shields.

Therefore, claim 30 as amended is patentable over Chen.

The rejection of claims 31-33, 35, 39, and 40 is also respectfully traversed. These claims each are dependent on the amended claim 30, and as such they are patentable over Chen, at least for the same reasons explained above with respect to claim 30.

Accordingly, the rejection of claims 30-33, 35, 39, and 40 under 35 U.S.C. 102(b) as being anticipated by Chen et al. (US 6,809,899) is respectfully traversed.

Claims 41 and 42

With respect to claims 41 and 42, the examiner has neither raised a rejection nor has issued an allowance. However, claims 41 and 42 are dependent on claims 1 and 13 respectively, and as such they are patentable over Chen at least for those reasons listed above with respect to claims 1 and 13 respectively.

Response to Objections for Allowable Subject Matter:

Claims 12 and 34 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Accordingly, claims 12 and 34 have been amended to be independent, and therefore should be allowable.

Concluding Remarks:

Applicant believes that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check or credit card payment form being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of

papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,)

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